MEMORANDAM FOR: Deputy Director (Support)

: Overtime Pay for Irregular and Unscheduled Duty SUBJECT

1. At the 24 December Staff Neeting you mentioned a question which had arisen concerning overtime payments for Contact Division/ 00 employees assigned as escorts to foreign groups traveling in the United States. It is understood that employees assigned to such duty may be required to perform substantial amounts of irregular overtime and night and holiday duty, under conditions where the employee can not control the amount of overtime he is required to perform. You asked that the Comptroller's Office advise you of the Agency policies pertaining to such overtime, in order that you may provide guidence to the Contact Division/00 in the esteblishment of equitable and workable controls on overtime performed under such circumstances.

2. Agency policy pertaining to overtime is set forth in and Regulation 25X1A which provide in part that:

25X1A

- Overtime should be kept to a minimum consistent with work requirements, and should be authorized prior to performance.
- b. When an employee is required to work overtime he will be compensated or receive compensatory time off within the limitations provided by law.
- Employees in grade GS-11 or above will, to the maximum extent feasible, be granted compensatory time off in lieu of overtime pay.
- An employee who remains "on call" at his home or elsewhere is not entitled to overtime pay or compensatory time off for time spent in an "on call" status.

An empl	oyee performing	"night duty"	, (as defined	i in
	more has compared to	ed. or recul	As compensary	iry time our
for two	thirds of the t	otal time on	duty. The	emaining one
third	f the total time	on duty vil	L De COMBIGNI	rous as when
devoted	t to eating and s	restruct and	ATTT HOLDE	Third favior
as com	ensable.			

25X1A 25X1A

0.3 1, 3 25X1

RDP78-04718A002600040022-7 Approved For Release 2002/09/03

SUBJECT: Overtime Pay for Irregular and Unscheduled Duty

- f. Each office should establish internal policies regarding the authorization and control of overtime.
- g. Claims for overtime performed, for which advance suthorization was not granted due to unusual operational situations, may be presented as prescribed in Para. 11 e. of

3. The equitable control of overtime performed in the field on an irregular and unscheduled basis has always presented a knotty administrative problem. The Office of Personnel, and DD/P components concerned are presently conducting a study to determine the feasibility of authorizing premium compensation pay up to 15% of base salary (as provided by USCA, Title V, Subchapter IV, Section 926(2)) for employees who perform irregular overtime on a continuing basis. However, this who perform irregular overtime on a continuing basis. However, this method of compensation has not yet been approved for use by the Agency.

- 4. It is suggested that the Contact Division/OC consider the adoption of the following type of internal practices, which have been used effectively by other Agency components in controlling overtime of an irregular character:
 - a. Adopt the "two-thirds rule", to provide a maximum of overtime which may be claimed for night or holiday duty.
 - b. Provide for granting compensatory time off instead of payment for overtime, to the maximum extent feasible.
 - c. When it is not possible to grant compensatory time off for all overtime, suthorize a specific encunt of paid overtime, and require that any additional overtime be on the basis of compensatory time off.
 - d. Insure that time which may be properly defined as "on call" rather than "on duty" is not claimed as overtime.

E. R. SAUNDERS Comptroller 25X1A

25X1A